

10/527772

BT19 Re CT/PTO 11 MAR 2005

PATENT

Attorney Docket No. 234732

Client Reference No. Tak-201299

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tanaka et al.

Group Art Unit: Unassigned

Application No. Unassigned

Examiner: Unassigned

Filed: March 11, 2005

For: MEMBRANE PROTEIN LIBRARY FOR
PROTEOME ANALYSIS AND METHOD FOR
PREPARING SAME

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date

of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

- ☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:

☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).

or

☐ the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).

- ☐ **after** the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

- ☐ **after** the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

- ☐ Copies of all of the references listed on the enclosed Form 1449 are enclosed herewith.
- ☒ Copies of U.S. patents and patent applications that are listed on the accompanying Form 1449 are not enclosed herewith. Copies of other references identified on the accompanying Form 1449 are enclosed herewith.
- ☒ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).
- ☒ A copy of the international search report is enclosed herewith.
- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were

furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status (check one)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Statement under 37 CFR 1.97(e)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

- ☒ **No fee** is owed by the applicant(s).
- ☐ The **IDS Fee of \$180** under 37 CFR 1.17(p) is enclosed herewith.

In re Appln. of Tanaka
Application No. Unassigned
Attorney Docket No. 234732

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Method of Payment of Fees

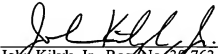
- ☐ Attached is a check in the amount of \$
☐ Charge Deposit Account No. 12-1216 in the amount of \$ (A duplicate copy of this communication is enclosed for that purpose.)

Authorization to Charge Additional Fees

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

Instructions as to Overpayment

- ☒ Credit Account No. 12-1216.
☐ Refund



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Date: March 11, 2005

Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	Unassigned
Filing Date	March 11, 2005
First Named Inventor	Tanaka et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	234732
Client Reference Number	Tak-201299

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U.S. PATENT DOCUMENTS

Examiner Initials	Doc. No.	U.S. Patent Document		Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		Application or Patent Number	Kind Code			
/ADS/	AA	2001/0014461	A1	Hutchens et al.	Aug. 16, 2001	
	AB	2001/0014479	A1	Hutchens et al.	Aug. 16, 2001	
	AC	2001/0023074	A1	Hutchens et al.	Sept. 20, 2001	
	AD	2002/0037517	A1	Hutchens et al.	March 28, 2002	
	AE	2002/0123043	A1	Hutchens et al.	Sept. 5, 2002	
	AF	2002/0142343	A1	Hutchens et al.	Oct. 3, 2002	
	AG	2002/0155509	A1	Hutchens et al.	Oct. 24, 2002	
	AH	2002/0155620	A1	Hutchens et al.	Oct. 24, 2002	
	AI	2002/0177242	A1	Hutchens et al.	Nov. 28, 2002	
	AJ	2003/0044843	A1	Tanaka et al.	March 6, 2003	
	AK	2003/0129666	A1	Tanaka et al.	July 10, 2003	
	AL	4,789,734		Pierschbacher	Dec. 6, 1988	
	AM	5,595,836		Franzen	Jan. 21, 1997	
	AN	5,719,060		Hutchens et al.	Feb. 17, 1998	
	AO	5,894,063		Hutchens et al.	April 13, 1999	
	AP	6,020,208		Hutchens et al.	Feb. 1, 2000	
	AQ	6,027,942		Hutchens et al.	Feb. 22, 2000	
	AR	6,124,137		Hutchens et al.	Sept. 26, 2000	
	AS	6,225,047	B1	Hutchens et al.	May 1, 2001	
	AT	6,511,810	B2	Bi et al.	Jan. 28, 2003	
	AU	6,528,320	B2	Hutchens et al.	March 4, 2003	
	AV	6,558,744	B2	Jarrell et al.	May 6, 2003	
/ADS/	AW	2005/0032113	A1	Tanaka et al.	Feb. 10, 2005	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Office	Application or Patent Number	Kind Code			Yes	No**
/ADS/	AX	GB	2 236 185	A	FINNIGAN MAT GMBH	March 27, 1991		
/ADS/	AY	GB	2 312 782	A	BRUKER-FRANZEN ANALYTIK GMBH	Nov. 5, 1997		
/ADS/	AZ	DE	40 17 805	A1	FINNIGAN MAT GMBH	March 7, 1991		X*
/ADS/	BA	JP	07-118142	A	KAO CORP	May 9, 1995		X*
/ADS/	BB	JP	07-267996	A	RES DEV CORP OF JAPAN	Oct. 17, 1995		X*
/ADS/	BC	WO	89/04322	A1	NORTH CAROLINA STATE UNIVERSITY	May 18, 1989		
/ADS/	BD	WO	94/28418	A1	BAYLOR COLLEGE OF MEDICINE	Dec. 8, 1994		
/ADS/	BE	WO	00/45168	A1	UNIVERSITE DE GENEVE	Aug. 3, 2000		
/ADS/	BF	WO	01/47947	A2	AMERSHAM PHARMACIA BIOTECH AB	July 5, 2001		
/ADS/	BG	WO	01/49265	A1	DANA-FARBER CANCER INSTITUTE, INC.	July 12, 2001		

Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Comp Known

Application Number	Unassigned
Filing Date	March 11, 2005
First Named Inventor	Tanaka et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	234732
Client Reference Number	Tak-201299

Sheet 2 of 2

FOREIGN PATENT DOCUMENTS

Examiner Initials	Doc. No.	Foreign Patent Document			Name of Patentee or Applicant	Date of Publication	Translation	
		Office	Application or Patent Number	Kind Code			Yes	No**
/ADS/	B H	WO	02/056026	A1	MITSUBISHI PHARMA CORPORATION	July 18, 2002		
/ADS/	B I	WO	02/056026	A1	MITSUBISHI PHARMA CORPORATION	Sep. 19, 2002		
/ADS/	B J	WO	02/056831	A2	DANA-FARBER CANCER INSTITUTE, INC.	July 25, 2002		

OTHER - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation	
			Yes	No**
/ADS/	B K	SINGH et al., <i>Analytical Chemistry</i> , 72 (24): 6019-6024 (December 15, 2000)		
/ADS/	B L	BANERJEE et al., <i>Molecular and Cellular Biochemistry</i> , 50: 3-15 (1983)		
/ADS/	B M	DALENCON et al., <i>Biochimica et Biophysica Acta</i> , 1302: 241-248 (1996)		
/ADS/	B N	SUZUKI et al., <i>Archives of Biochemistry and Biophysics</i> , 379 (2): 344-352 (July 15, 2000)		
/ADS/	B O	SHINGLES et al., <i>Analytical Biochemistry</i> , 229: 92-98 (1995)		
/ADS/	B P	TRAINI et al., <i>Electrophoresis</i> , 19: 1941-1949 (1998)		
/ADS/	B Q	SCHREINER et al., <i>Electrophoresis</i> , 1: 954-961 (1996)		
/ADS/	B R	LOO et al., <i>International Journal of Mass Spectrometry and Ion Processes</i> , 169/17: 273-290 (1997)		
/ADS/	B S	KLARSKOV et al., <i>Rapid Communication in Mass Spectrometry</i> , 16: 35-42 (2002)		
/ADS/	B T	ECHERSKORN et al., <i>Anal. Chem.</i> , 69: 2888-2892 (1997)		
/ADS/	B U	BIENVENUT et al., <i>Analytical Chemistry</i> , 71 (21): 4800-4807 (November 1, 1999)		
/ADS/	B V	BINZ et al., <i>Analytical Chemistry</i> , 71 (21): 4981-4988 (November 1, 1999)		
/ADS/	B W	OKUMURA et al., <i>Biochimica et Biophysica Acta</i> , 1194: 335-340 (1994)		
/ADS/	B X	MIRZABEKOV et al., <i>Nature Biotechnology</i> , 18: 649-654 (2000)		
/ADS/	B Y	HAN et al., <i>Nature Biotechnology</i> , 19: 631-635 (July 2001)		
/ADS/	B Z	FULTON et al., <i>Clinical Chemistry</i> , 43 (9): 1749-1756 (1997)		
/ADS/	C A	FUNG et al., <i>Analytical Biotechnology</i> , 12: 65-69 (2001)		
/ADS/	C B	ZHOU et al., <i>TRENDS in Biotechnology</i> , 19 (10 - Suppl.): S34-S39 (October 2001)		
/ADS/	C C	GYGI et al., <i>Nature Biotechnology</i> , 17: 994-999 (October 1999)		
/ADS/	C D	CHEN et al., <i>Journal of Biological Chemistry</i> , 276 (24): 21098-21104 (June 15, 2001)		
/ADS/	C E	PARMAR et al., <i>Biochimica et Biophysica Acta</i> , 1421: 77-90 (1999)		
/ADS/	C F	OSHRV et al., <i>Biochimica et Biophysica Acta</i> , 1066: 239-244 (1991)		
/ADS/	C G	ZHU et al., <i>Science</i> , 293: 2101-2105 (September 14, 2001)		
/ADS/	C H	HERMANN et al., <i>Electrophoresis</i> , 22: 1712-1723 (2001)		
/ADS/	C I	SIMPSON et al., <i>Electrophoresis</i> , 21: 1707-1732 (2000)		

Examiner Signature	/Amber D. Steele/	Date Considered	11/12/2008
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- * A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).
 + An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).